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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNIVERSAL NORTH AMERICA  
INSURANCE COMPANY,

Plaintiff,

v.

JONATHAN SCHWALB, et al.,

Defendant.

Case No. 2:17-cv-01553-APG-PAL


ORDER

(Mot Serve Pub – ECF No. 5)

Before the court is Plaintiff's Application for an Order for Service by Publication (ECF No. 5). The affidavit of due diligence indicates the process server attempted service at defendant Victor Drais' residence in a guard gated community on 6/10/17, 6/13/17, 6/15/17, and 6/18/17. However, the affidavit also states that there were no cars parked in the driveway, no lights, and no signs of activity. Under these circumstances, the court is not satisfied that plaintiff has shown the defendant is evading service. Accordingly,

**IT IS ORDERED** that Plaintiff's Application for an Order for Service by Publication (ECF No. 5) is **DENIED without prejudice**.

DATED this 24th day of August, 2017.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE